



THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2016-101

(as amended by Council Resolution 2016-21-14)

**A BY-LAW TO GOVERN THE PROCEEDINGS OF MEETINGS OF TOWN COUNCIL
AND ITS APPOINTED COMMITTEES**

**A BY-LAW TO GOVERN THE CALLING, PLACE AND PROCEEDINGS OF
MEETINGS OF COUNCIL AND ITS APPOINTED COMMITTEES**

ARTICLE	DETAILS	PAGE NO.
1.0	Short Title	6
1.01	Citation	6
2.0	Definitions, Applications & Interpretation	6
2.01	Definitions	6
2.02	Application	10
2.03	Interpretation Rules	10
2.04	Proper Address for Members	11
2.05	Parliamentary Authority	11
2.06	Copy of By-Law to Members	11
2.07	Absence of Members	11
3.0	Duties & Roles	11
3.01	Role of Council	11
3.02	Duties of the Mayor	12
3.03	Duties of Members of Council	12
3.04	Duties, Authority and Power of the Chair	12
3.05	Mayor/Chair May Speak or Vote	13
3.06	Chair - Absence	13
3.07	Duties of Clerk	13
3.08	Duties of Administration - Staff	14
4.0	Meetings	14
4.01	Location of Meetings	14
4.02	Chair of Meeting	15
4.03	Holidays	15
4.04	Postponement of Regular Meetings	15
4.05	Public Notice of Meetings	15
4.06	Quorum	16
4.07	Meetings Open to the Public	16
4.08	Inaugural Meetings of Council	16
4.09	Regular Meetings of Council	17
4.10	Special Meetings	17
4.11	Committee of the Whole	17
4.12	Coordinated Committee of Council	18
4.13	Advisory Committees of Council	19
4.14	Reconvened Meetings	20
4.15	Special Purpose (Ad Hoc) Committee	20
4.16	Town Hall Meetings (Public Forum, Public Information Session, Public Consultation Session, Council Public Open House)	20
4.17	Non-Business Meetings of Council (Orientation)	21
4.18	Closed Meetings	21

ARTICLE	DETAILS	PAGE NO.
5.0	Order of Business	24
5.01	Council Agenda	24
5.02	Committee of the Whole Agenda	24
5.03	Coordinated Committee of Council Agenda	25
5.04	Non Business Meetings of Committee of the Whole of Council	26
5.05	Advisory Committees of Council Agenda	26
6.0	Rules for Agenda Items	27
6.01	Submission of Agenda Information	27
6.02	Order on the Agenda	27
6.03	Disclosure of Interest	27
6.04	Adoption of Minutes	28
6.05	Deputations, Presentations, Petitions & Public Meetings	28
6.06	Unfinished Business	33
6.07	Correspondence	33
6.08	Committees, Boards, and Staff Reports	34
6.09	Notices of Motion	35
6.10	Motion Where Notice Has Been Given	35
6.11	By-Laws and Confirmatory By-Law	36
6.12	Calling of Committee Meetings	37
6.13	Items for Future Meetings	37
6.14	Question Period	38
6.15	Adjournment	38
6.16	Curfew – Motion to Continue	38
7.0	Motions	38
7.01	Rules of Motions	38
7.02	Motions Without Notice	39
7.03	Coordinated Committee and Committee of the Whole Motions	39
7.04	Dividing a Question	40
7.05	Withdrawal of Motion	39
7.06	Motion Under Debate	40
7.07	Rules for Subsequent Motions	41
7.08	Motion to Suspend the Rules	44
7.09	Jurisdiction	44
7.10	Submission of Motions	44
7.11	Receipt of Motions	44
7.12	Order of Precedence of Motions	44
7.13	Debatable Motions	45
7.14	Non-Debatable Motions	45
8.0	Debate	45
8.01	Rules of Debate	45
8.02	Reopening an item for further Debate	45

ARTICLE	DETAILS	PAGE NO.
9.0	Voting	47
9.01	Rules for Voting	47
9.02	Recorded Votes	47
10.0	Revisiting Prior Decisions	48
10.01	Revote	48
10.02	Reconsideration, Rescind or Amend Prior Decisions of Council	48
11.0	Conduct	50
11.1	Rules of Conduct	50
11.2	Failure to Obey the Rules of Conduct	52
11.3	Point of Order, Point of Privilege	52
12.0	By-Law Repealed	53
12.01	Previous By-Laws Repealed	53
13.0	Effective Date	53

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2016-101

**A BY-LAW TO GOVERN THE PROCEEDINGS OF MEETINGS OF
TOWN COUNCIL AND ITS APPOINTED COMMITTEES**

WHEREAS pursuant to section 9 of the *Municipal Act, 2001 S.O. 2001*, chapter 25 a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS pursuant to section 8. (1) of the *Municipal Act, 2001 S.O. 2001*, chapter 25 the powers of a municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate to enhance the municipality's ability to respond to municipal issues;

AND WHEREAS, the *Municipal Act, S.O. 2001*, as amended, authorizes the Council of every municipality to pass by-laws for governing the proceedings of its Council, the conduct of its members and the calling of meetings;

AND WHEREAS Section 238 of the *Municipal Act, S.O. 2001*, as amended, states that "every council and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings";

AND WHEREAS, By-Law 2015-99, a by-law to govern the proceedings of Meetings of Town Council and its appointed committees, was adopted December 22, 2015;

AND WHEREAS Council deems it expedient and necessary to repeal By-Law 2015-99 to make administrative changes and amendments to the By-law, including, but not limited to: providing for recorded votes on all matters, addition of a question period at the beginning of all Regular Council meetings, inclusion of new provisions for closed session meetings as provided for in the *Municipal Act*, reference to the Town's Code of Conduct and failure to obey rules of conduct, amendments to the location of Committee of the Whole and time of Coordinated Committee;

AND WHEREAS the Council shall follow the regulations as set out within the *Municipal Conflict of Interest Act*; and the parliamentary authority of "Robert's Rules of Order";

AND WHEREAS notice was provided in accordance with the provisions of Town's Notice Requirements under By-law 2014-23 for the proposed amendments to By-law 2015-99, a by-law to govern the proceedings of Meetings of Town Council and its appointed committees;

NOW THEREFORE, the Council of the Corporation of the Town of Wasaga Beach HEREBY ENACTS as follows:

ARTICLE 1.0

SHORT TITLE

1.01 Citation

This by-law may be referred to as the “Procedural By-Law”.

ARTICLE 2.0

DEFINITIONS, APPLICATION AND INTERPRETATION

2.1 Definitions

Accessible means as defined in Provincial legislation.

Act means the *Municipal Act, 2001*, as amended from time to time;

Ad Hoc Committee means a committee appointed by Council from time to time to act on a temporary or singular issue and shall be discontinued by Council resolution when their recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.

Advisory Committee means a committee appointed by Council, or established by Provincial statute, to act in an advisory capacity to Council on operational and strategic issues during the full term of Council.

Amend means to alter or vary the terms of the main motion without materially changing its purpose.

Amendment means a motion proposing a change in wording or substance of a Motion before Committee or Council or a prior decision of Council.

Board means governing bodies of Municipal services established in accordance with Ontario law.

By-Law means a by-law, including its recitals and schedules which form integral parts of it, prepared or passed for the purposes of giving general effect to a previous decision or proceedings of the Council.

CAO means the Chief Administrative Officer of The Corporation of the Town of Wasaga Beach; as set out in the *Municipal Act* and as appointed by By-Law.

Chair means the Mayor or Acting Mayor or Chair elected or appointed to preside over a Council, Committee or other type of meeting.

Clerk means the Clerk of The Corporation of the Town of Wasaga Beach; as set out in the *Municipal Act, 2001*, and as appointed by By-Law. The Clerk has the authority to delegate its powers and duties; however, can continue to exercise those delegated duties. This may mean the Deputy Clerk, or a person appointed to perform the duties of the Clerk.

Closed Session means a meeting, or portion of a meeting, closed to the general public as provided for in the By-Law and in accordance with the Act.

Co-Chair means the member of a Committee as appointed by the Committee to act as the Chair in absence of the Chair, or when the Chair steps down to act as a member.

Committee means any advisory committee, ad hoc committee, Coordinated Committee, Committee of the Whole or other committee, subcommittee, board, or similar entity, governed by Council.

Committee of the Whole means all the members present sitting in Committee of the Whole of Council to discuss and make recommendations to Council on general municipal matters.

Communication Device includes a cellular phone, pager, smart phone, computer with a link to the internet, or any other similar piece of technologic equipment used for communication purposes.

Confirming By-Law means a by-law passed prior to adjournment of every meeting of Council to confirm the Resolutions and actions of Council taken at that meeting.

Consent Agenda means all items listed within a portion of an agenda for each section will be approved by one resolution. There is no separate discussion of these items unless a Council Member requests it, in which case the item will be removed from the consent resolution and considered immediately following adoption of the remaining consent agenda items.

Coordinated Committee means the Coordinated Committee of the Council of the Town of Wasaga Beach comprised of the sections of Community Services, General Government, Public Works and Development Services or such other section as may be established by Council from time to time.

Corporation means The Corporation of the Town of Wasaga Beach.

Council means the Council of the Corporation of the Town of Wasaga Beach.

Council Public Open House means a forum for open dialogue between residents, Council Members and Senior Staff to share ideas, information and suggestions in an informal atmosphere. A Council Public Open House is not a meeting of Council or a statutory requirement of Council; it is offered as an added opportunity for the public to be engaged in their community.

Debate means regulated discussion, and speaking in advocacy of a position on an issue.

Defer means to remove a main Motion from consideration of Town Council or a Committee until such time as provided for in the deferral Motion.

Deputant means any person who addresses Council or Committee in the context of a Deputation.

Deputation means a formal address to Council or a Committee by one or more persons who are not members of Council or Town staff.

Deputy Clerk means Deputy Clerk of The Corporation of the Town of Wasaga Beach; as set out in the *Municipal Act*, 2001, and as appointed by By-Law. The Deputy Clerk has all the powers and duties of the Clerk.

Hearing means a meeting hosted by staff, Committee or Council to seek public input as required under legislation.

Holiday means a holiday as defined by the *Retail Business Holidays Act*.

Inaugural Meeting means the first meeting of a new Council after a municipal election where the declaration of office is made.

Local Newspaper means The Sun Newspaper.

Majority means 50 percent plus 1 of the total Members present and not prohibited by statute from voting, in order for the business to be conducted.

Mayor means the elected Head of Council, or in the absence of the Mayor, the Deputy Mayor, or in the absence of both, another Member appointed in accordance with Ontario law and this By-Law.

Meeting means a meeting called in accordance with this By-Law.

Member means a person elected or appointed as a member of the Town Council, including the Mayor, or of a Committee or Board.

Municipality means The Corporation of the Town of Wasaga Beach.

Motion means a formal proposal that certain actions be taken.

Non-Business Meeting means a meeting of Committee of the Whole at which no Motions are permitted or considered (except Closed Session for the purpose of orientation/training) and no recommendations are passed.

Notice means an announcement which advises of the time and place of a meeting.

Notice of Motion means an advance notice provided by a Member of Council of a Motion he or she will bring to the floor of a future meeting for debate.

Petition is a request, signed by numerous individuals, to undertake some action, addressed to Council or the Clerk.

Point of Order means a statement made by a Member during a meeting drawing to the attention of the Chair a matter that a Member considers to be a departure from or contravention of these rules, an alleged breach of the Rules of Procedures or generally accepted practices of Council.

Point of Privilege means the raising of a question which concerns a Member or the Council collectively, when a Member believes that his or her rights or, the integrity of Council, have been impugned.

Power means the legal authority of the Corporation.

Presentation means a ceremonial presentation to or from the Town of Wasaga Beach; or an address from Town staff or consultants on behalf of the Town.

Presenter means any person who addresses Council or Committee in the context of a Presentation.

Public Consultation Meeting means a meeting hosted by staff, committee or Council in order to receive input from the public regarding a specific matter.

Public Information Meeting means a meeting hosted by staff, committee or Council in order to inform the members of the public about a matter.

Question Period means the point in time during a Council meeting that members of the public may attend to address members with a concern, comments or a question of an item on the Agenda.

Quorum means 50 percent plus 1 of the total Members of the assembly and not prohibited by statute from voting, in order for the business to be conducted.

Reconsider means to re-open debate on a prior decision of Council only, as if the decision had never been made, in strict accordance with the requirements of this By-Law. Reconsideration has a corresponding meaning.

Recorded Vote means the making of a written record of the name and the vote of each member who votes on a question. The Clerk will call this vote orally or through other approved recording methods and will record this vote in the minutes.

Refer means to remove a main Motion from consideration by directing the matter to a Committee or Staff until more information is provided at a time provided for in the referral Motion.

Rescind means to reverse or cancel a prior decision of Council only, in strict accordance with the requirements of this By-Law. Rescission has a corresponding meaning.

Resolution means to make a decision on a form of action agreed to by a vote.

Revote means to subsequently vote again on a question which has been voted upon at any prior time within the same meeting.

Revisit means to Reconsider, Amend, Rescind or Revote on a prior decision.

Rules of Procedure means the rules and regulations provided in this By-Law, and where this By-Law is silent, the rules and regulations provided in Robert's Rules of Order.

Special Meeting means a meeting of Council or Committee that is arranged outside of the normal meeting schedule to deal with only specific item(s) of business.

Special Purpose Committee means a Committee of Council that investigates reports and recommends on a particular subject or area. Also referred to as an Ad Hoc Committee.

Staff means the body of persons employed by the Corporation or contracted by the Corporation for the delivery of municipal programs and services, and the implementation of the direction of Council.

Town means The Corporation of the Town of Wasaga Beach.

Town Hall Meeting means a public meeting of Council that provides members of the public an opportunity to offer comment and receive information on any matter.

2.2 Application

- a) The Rules of Procedure must be observed in the proceedings of all meetings of the Council and Committees and shall be the rules and regulations for the handling of business, unless specifically provided for otherwise.
- b) The rules and regulations contained in this By-Law may be suspended by a two-thirds (2/3) vote of the members present and voting at a Council meeting may agree to suspend a rule for the purposes of that meeting, and shall not be debatable or amendable.
- c) No amendment or repeal of this By-Law or any part thereof shall be considered at any Meeting of Council unless notice of proposed amendment or repeal has been given at a previous Regular Meeting of Council, and the waiving of this notice by Council is prohibited.
- d) Despite the provisions of this By-Law, nothing in this By-Law shall be construed as giving authority to any Committee, Councillor, be it he/she is Chair of a Committee or not, to direct or interfere with the performance of any work for the Town and the staff in charge shall be subject only to his or her superior Officer as established in the formal organizational structure of the Town.
- e) This By-Law does not apply to the Public Library Board.

2.3 Interpretation Rules

- a) Calculation: The calculation of 2/3's vote shall be rounded upwards to the next highest whole number.
- b) Number/Gender: This By-Law is to be read with all changes of gender or number required by the context.
- c) Sections/Headings: The captions, article and section names and numbers appearing in this By-law are for convenience of reference only and have no effect on its interpretation.
- d) "Includes": The words "include", "includes", "including" and "included" are not to be interpreted as restricting or modifying the words or phrases which precede them.

- e) Legislative References: Each reference to Provincial legislation in this By-Law is printed in *Italic font*. Where the reference does not include a year, it is a reference to the Revised Statutes of Ontario, 1990 edition. Where the name of the statute includes a year, the reference is to the Statutes of Ontario for that year. In every case, reference to a Provincial Statute includes all applicable amendments to the legislation, including successor legislation.
- f) Severability: If any article, section, subsection, paragraph, clause or subclause or any of the words contained in this By-Law is held wholly or partially illegal, invalid or unenforceable by any court or tribunal of competent jurisdiction, the remainder of this By-Law shall not be affected by the judicial holding, but shall remain in full force and effect.
- g) Administration: The Clerk shall be responsible to interpret and administer the Rules of Procedure of the By-Law.

2.4 Proper Address for Members

The Mayor shall be addressed as “Mayor (surname inserted)”, or alternatively, “Your Worship”. The Deputy Mayor is addressed as “Deputy Mayor (surname inserted)”. All other Members are to be addressed as “Councillor (surname inserted)”.

2.5 Parliamentary Authority

The governing legislation, the Procedural By-Law, or any special rules of order adopted by Council shall govern the procedures of Council and its Council appointed Committees. Where no rule exists, the current edition of “Robert’s Rules of Order” will be the parliamentary authority which governs the proceedings of the Corporation of the Town of Wasaga Beach, where applicable in all circumstances not covered by this By-Law.

2.6 Copy of By-Law to Members

- a) Following a regular or new/by-election, the Clerk shall provide each member of Council and Committees with a copy of this By-Law, including any amendments thereto.

2.7 Absence of Members

No member shall be absent from the Meetings of the Council or appointed Committees for three successive meetings without being authorized to do so by a resolution of the Council or Committee entered upon the minutes.

ARTICLE 3.0

DUTIES & ROLES

3.1 Role of Council:

It is the role of Council:

- a) to represent the public and to consider the well-being and interest of the municipality;

- b) to evaluate the policies and programs of the municipality;
- c) to determine which services the municipality provides;
- d) to ensure that administrative policies, practices and procedures, and controllership policies, practices and procedures, are in place to implement the decisions of Council;
- e) to ensure the accountability and transparency of the operations of the municipality;
- f) to maintain the financial integrity of the municipality;
- g) to direct staff, by majority vote, to perform such duties as is necessary to provide for the efficient management of the affairs of the municipality;
- h) to direct staff, by majority vote, to research such matters as the Council deems necessary; and
- i) to carry out the duties of Council under the *Municipal Act, 2001* or any other Act.

3.2 Duties of the Head of Council (Mayor):

It is the duty of the Mayor to:

- a) Carry out the responsibilities described in the *Municipal Act, 2001*;
- b) Represent and support the Council and its decisions in all matters;
- c) To authenticate, by signature, all by-laws, and minutes of Council; and
- d) To act as the Chair for Meetings of Council and Committee of the Whole.

3.3 Duties of Members of Council:

It is the duty of each member of Council to:

- a) Come prepared to every meeting by having read all the material supplied, to facilitate discussion and the determination of action at the meeting;
- b) Deliberate on the business submitted to Council;
- c) Vote when a Motion is put to a vote; and
- d) Respect the Rules of Procedure.

3.4 Duties, Authority and Power of the Chair:

It is the duty of each Member assuming the role of Chair of any Meeting of Council, Committees or Section of Coordinated Committee to:

- a) Call the meeting to order as soon as the time fixed for holding the meeting occurs and a quorum is present;
- b) To announce the business before Council, the Committee or Section of Coordinated Committee, in the order in which it is to be acted upon;
- c) Receive and submit, in the proper manner, all Motions from Members which are duly moved, and to announce the result;
- d) Recognize any Member who wishes to speak and determines the order of speakers;
- e) Control limits of speaking for each member;
- f) Put to a vote, and to vote on, all motions, after debate, and to announce the result;
- g) Enforce the Rules of Procedure;
- h) To receive all messages and other communications addressed to Council, the Committee or Section of Coordinated Committee and announce them to Members present;
- i) To authenticate, by his or her signature when necessary, all By-Laws, Resolutions and Minutes;

- j) Maintain conduct, order and decorum of the Members and the public;
- k) Call by name any Member persisting in a breach of the Rules of Procedure and order the Member to leave the Meeting, including an order to leave the room within which the Meeting is being held;
- l) Rule on any Points of Order and Points of Privilege raised by Members;
- m) To restrain Members, within the Rules of Order, when engaged in debate;
- n) To enforce on all occasions the observance of order and decorum among the Members and members of the public that are addressing Council, the Committee or Section of Coordinated Committee;
- o) Where it is not possible to maintain order, adjourn the Meeting without the necessity of any Motion being put, to a time named by the Chair;
- p) Expel any person for improper conduct at a meeting;
- q) To represent and support Council and/or Committee and/or Section of Coordinated Committee, declaring its will, and implicitly obeying its decisions in all things; and,
- r) To call for the adjournment of the Meeting when the business is concluded.

3.5 Mayor/Chair May Speak or Vote

- a) The Mayor or Chair may speak and/or vote on any question, but if they wish to make a motion they shall first leave the Chair by designating the Deputy Mayor/Chair, and if the Deputy Mayor/Chair is absent, by designating another Member to act in their stead until they resume the Chair.

3.6 Chair – Absence

- a) In the event of the Mayor's/Chair's absence, illness, or refusal to act as Mayor/Chair, the Deputy Mayor/Vice Chair shall Chair the meeting;
- b) In the absence of the Mayor/Chair and the Deputy Mayor/Vice Chair, at the outset of a meeting, the Clerk/Committee Secretary shall call the meeting to order 15 minutes after the time fixed for the meeting and asks members in attendance to elect a member to Chair the meeting. The elected member Chairs the meeting until the Mayor/Chair or Deputy Mayor/Vice Chair arrives or the meeting is adjourned;
- c) The Acting Chair shall have all the rights, powers and authority of the Mayor/Chair, while so doing.

3.7 Duties of the Clerk:

It is the duty of the Clerk to:

- a) Carry out the responsibilities described in the *Municipal Act, 2001*;
- b) Record, without note or comment, all resolutions, decisions and other proceedings of the Council;
- c) If required by any member present at a vote, to record the name and vote of every member voting on any matter or question;
- d) Prepare and distribute agendas and motions for all Meetings;
- e) Keep the originals or copies of all by-laws and of all minutes, consecutively numbered of the proceedings of the Council;
- f) Perform the other duties required under this By-Law or under any other Act;
- g) Provide guidance to the Chair on procedural matters;

- h) Secretariat of Council's appointed Committees of all Meetings but may delegate, in writing, and assign the duties as Secretary of any Committee as necessary;
- i) To authenticate, by his or her signature when necessary, all By-Laws and Minutes

3.8 Duties of the Administration–Staff:

It is the role of the staff of the municipality, under the leadership of the Chief Administrative Officer:

- a) To implement Council's decisions and establish administrative practices and procedures to carry out Council's decisions;
- b) To undertake research and provide advice to Council on the policies and programs of the municipality; and
- c) To carry out other duties required under this or any Act.

ARTICLE 4.0

MEETINGS

4.1 Location of Meetings

- a) All Regular Meetings of Town Council including the Inaugural Meeting shall take place in the Council Chambers at Town Hall, 30 Lewis Street, Wasaga Beach, unless otherwise provided by resolution of Council. Special Meetings of Town Council may take place in a location other than Council Chambers subject to approval by Council.
- b) In the event of an Emergency declared by the Mayor or any other Lead Agency as identified by the *Emergency Management Act* within the confines of a declared emergency, where Town Hall is not accessible, the Council shall be asked to meet at an identified location accessible by Members of Council.
- c) A joint meeting with the Council of another Municipality for the consideration of matters of common interest may be held within either Municipality or in an adjacent Municipality, upon resolution of Council.
- d) In the case of an emergency or special occasion as determined by the Clerk, Council may hold its meetings and keep its public offices at any convenient location within or outside the Municipality, upon resolution of Council.
- e) All Coordinated Committee and Committee of the Whole Meetings shall be held in the Classroom at Town Hall, 30 Lewis Street, Wasaga Beach, or other appointed Committee Room, as determined by the Chair of such Committee, unless otherwise provided by resolution of the Committee.
- f) In the absence of available or suitable meeting space at Town Hall, all Meetings of special purpose including Non-Business meetings, Advisory Committees, Public Information Meetings, Public Consultation Meetings, Public Forum, Ad Hoc Meetings, Steering Committees, established under this By-Law or otherwise by Resolution of Council, shall take place at facilities that:

- (1) Are accessible to the general public;
- (2) Serve the specific needs of each Committee; and
- (3) Are specified in the Notices issued for them.

4.2 Chair of Meeting

- a) Each meeting of Town Council and Committee of the Whole shall be chaired by the Mayor. In the absence of the Mayor, the Deputy Mayor shall Chair the session. In the absence of both the Mayor and Deputy Mayor, Members present shall elect from amongst themselves a Chair for the meeting.
- b) Each meeting of Advisory Committees of Council, Ad-Hoc, Steering Committees, shall be chaired by the member appointed as Chair, according to the process defined in the Terms of Reference of each Committee.
- c) Each Public Information Sessions, Public Consultation Sessions or Town Hall Meetings shall be chaired by the Mayor. In the absence of the Mayor, the Deputy Mayor shall Chair the session. In the absence of both the Mayor and Deputy Mayor, Members present shall elect from amongst themselves a Chair for the meeting.

4.3 Holidays

When the day for a Regular Meeting of Council or Committee of Council is a public or Civic Holiday, the Council or the Committee shall meet at the same hour on the following day which is not a Public or civic holiday, unless otherwise provided by resolution of the Council or Committee.

4.4 Postponement of Regular Meetings

- a) Any Regular Meeting of Council or Committee may be postponed to a day named as follows:
 - (1) In a notice given through the Clerk's Office by the Chair or person acting in the place of the Chair on forty-eight (48) hours' notice in advance of the Regular Meeting, or
 - (2) In a By-Law or Resolution of Council/Committee passed by a majority vote.
- b) The postponed meeting shall be held at the same time and at the same place as the meeting so postponed.

4.5 Public Notice of Meetings

- a) Notice of the date and time of all regular meetings of the Council, Committee of the Whole, and Coordinated Committee shall be advertised in the local newspaper and posted on the Town website. Non Business and Special Meetings shall be posted on the Town website no less than 48 hours prior to the meeting.

- b) Notice of all Meetings of Council, Committee of the Whole, Coordinated Committee, Non Business meetings and other Committees and meetings of Council shall be given to the public in accordance with the Notice By-Law and any other applicable legislation, and as otherwise provided for in this and other Town By-Laws.
- c) Notice of Council, Committee of the Whole, Coordinated Committee, Non-Business meetings and all other Committees of Council shall include the posting of the Meeting agendas and minutes on the Town website.

4.6 Quorum

- a) A majority of the total number of members (50% plus 1) is necessary to form a quorum to assemble a meeting.
- b) Quorum is required in order for business to be conducted. If Quorum is not reached following 15 minutes of the Meeting start time, the Clerk shall adjourn the Meeting, recording for the minutes of Meeting, the attendance, start and end times. The Meeting shall stand adjourned until the date of the next Regular Meeting or such earlier date as determined.
- c) The required number of members to establish a meeting shall be reduced with each member that declares a conflict, under the *Municipal Conflict of Interest Act*, provided that there are at least two members able to vote on the matter.
- d) Members of Council must not leave their places without first advising the Chair.
- e) A member who wishes to leave the meeting and does not intend to return must advise the Clerk or the Chair before leaving.

4.7 Meetings Open to the Public

- a) All Meetings of Council and its Committees shall be open to the public except as provided for in Section 4.18 of this By-Law and in accordance with the *Municipal Act, 2001* and any other applicable legislation.
- b) All Council Meetings and its Committees open to the public shall be recorded without note or comment on all resolutions, decisions and other proceedings.

4.8 Inaugural (First) Meetings of Council

- a) The Inaugural (First) Meeting of the new Council shall be held in the Council Chambers at 7:00 p.m. on the first Tuesday of December following the Election of a new Council.
- b) The agenda for the Inaugural Meeting of the Council shall consist of only the following items:
 - (1) The taking of the oath of allegiance and declaration of elected office by each Member and the Inaugural Address of the Mayor;

- (2) The appointment of Signing Officers;
 - (3) The appointment of Chairs and Co-Chairs of the sections of Coordinated Committee, in accordance with this By-Law;
 - (4) The appointments to various boards and committees.
- c) In the event the day set should be a public holiday, such Inaugural Meeting shall be held on the next following day, not a public holiday, at the same hour.
 - d) In the case of inclement weather, the Inaugural Meeting shall be held on the first suitable day following at the same hour.
 - e) In any case, the Inaugural Meeting of Council shall not take place later than 31 days after its term commences.
 - f) The Clerk shall Chair the meeting until such time as the Mayor has taken his/her oath of allegiance and declaration of elected office and assumes the role of Chair.

4.9 Regular Meetings of Council

- a) Regular meetings of Council will generally take place on the fourth Tuesday of every month and shall commence at 7:00 p.m.
- b) Council has the authority to amend the Meeting schedule at any time by resolution of Council, as required, without an amendment to this by-law.

4.10 Special Meetings

- a) Special Meetings may be established by:
 - a. A Motion of the Committee or Council that is meeting.
 - b. The Mayor may at any time summon a Special Meeting of Council on forty-eight (48) hours' notice to the Members of Council by giving notice to the Clerk stating the date, time and purpose of the Special Meeting.
 - c. Polling, at the request of the Chair, the majority of the Members if called within less than 48 hours of the date and time of the Meeting. The poll is to be conducted by the Clerk or designate, by either verbal or written expression or e-mail of the Members of Council.
 - d. The Clerk must summon a Special Meeting of Council when a majority of Councillors present a petition asking for a special meeting for a specific purpose. The meeting must be called for that purpose and at the time noted in the petition but the Clerk must give at least 48 hours' notice of the meeting to all members of Council.
 - e. Special Meetings are only held for the purpose of presenting the business identified when the Meeting was established and which specified in the notice of the Meeting.

4.11 Committee of the Whole

- a) Council members may meet as Committee of the Whole to consider policy and corporate issues not included in the mandate of a section of Coordinated Committee, or any other matter it decides and will function as Budget Committee during the preparation of the annual Operating and Capital Budget and Four and Ten Year Forecasts.
- b) The first Committee of the Whole of Council Meeting shall be held within thirty (30) days of the Inaugural Meeting and thereafter each meeting of the Committee shall be held as required and as called by the Chair or requested by the Chief Administrative Officer.
- c) Committee of the Whole meetings generally are scheduled the third Tuesday of every month and commence at 4:00 p.m.
- d) Committee of the Whole has the authority to amend its Meeting schedule at any time by resolution, as required, without an amendment to this by-law.

4.12 Coordinated Committee of Council

- a) The Coordinated Committee of Council shall be divided into the following sections:
 - i. General Government Section is responsible for Administration, Finance, Economic Development and Special Events.
 - ii. Community Services Section is responsible for Fire and Emergency Services, Parks, Facilities, Recreation, Municipal Law Enforcement & Licensing, Chamber of Commerce, policing, Ministry of Natural Resources.
 - iii. Development Services Section is responsible planning, building and development matters.
 - iv. Public Works Section is responsible for public works, environmental and transportation matters.
- b) Council shall appoint a Chair and Co-Chair to each Section of Coordinated Committee for the first two years of the four year term, terminating at the last meeting in December at the end of the two year term; the Chair and Co-Chair positions will be reappointed at that time by Council for the remaining two years of the four-year term - the Chair will become the Co-Chair and the Co-Chair will become the Chair.
- c) Meetings, including date and time, of Coordinated Committee of Council shall be as established by the Clerk in consultation with the CAO who has the authority to reschedule the meetings, in consultation with Council, where necessary, to accommodate corporate operations and meeting schedules.
- d) The Coordinated Committee meetings shall be attempted to be held generally on the second Thursday of the month, starting at 8:30 a.m. The order related to Sections will be the Community Services Section followed by the Public Works Section, Development Services Section and General Government Section. Any statutory public meetings will be scheduled to commence at 11:00 a.m.

- e) Coordinated Committee has the authority to amend its Meeting schedules at any time by resolution, as required, without an amendment to this by-law.
- f) If Council is required by Legislation to hold a Hearing or give interested parties an opportunity to be heard before doing any action, passing a By-Law or making a decision, Council may delegate that responsibility to a Committee of Council. Hearings shall be scheduled at the beginning of said section and shall be chaired by the appointed Chair of the section of Coordinated Committee to which the Hearing pertains to.
- g) If the Committee of Council holds a Hearing or gives interested parties an opportunity to be heard, Council is not required to do so.
- h) The Committee shall provide its recommendations to Council after which Council may pass the By-Law or make the decision.
- i) In the case where a matter is urgent and decision or recommendation is required of Committee, a report regarding subject matter categorized under one session may be brought to another session of Coordinated Committee with permission from the Chair of both sessions and the Clerk.

4.13 Advisory Committees of Council

- a) In establishing the Advisory Committee, Council shall identify:
 - (1) the composition of the Committee which may include both Members of Council and the general public as voting members;
 - (2) the Mandate of the Committee;
 - (3) the administrative resources to Committees shall be determined by the Chief Administrative Officer;
- b) An Advisory Committee of Council must have a clear mandate and well-defined Terms of Reference approved by Council.
- c) Public membership on Advisory Committees of Council will be solicited pursuant to Town Policy. Following the recommendation of the Mayor, Council shall appoint members of the public to Advisory Committees and Boards at the beginning of each term of Council as per the Committee Terms of References.
- d) Any member of Council may attend and participate in meetings of Advisory Committees, but may not vote, unless appointed by Council. Only members appointed by Council may vote. The Mayor is ex-officio on all Committees.
- e) Meetings of Advisory Committees of Council shall be as established by the Committees, as defined in the approved Terms of Reference; however, additional meetings may be called by the Chair of that Committee.
- f) Dates and times of Advisory Committee meetings shall be made public as per the Town's Notice By-law.

4.14 Reconvened Meetings

In the event that agenda material prepared for regular or special meetings of Town Council, Committee of the Whole, or other Committees of Council, has not been completed prior to the adjournment of the Meeting, all unfinished business will be considered at a reconvened session to be held on the date identified by the Members prior to the adjournment of the Meeting.

4.15 Special Purpose (Ad Hoc/Steering/Task Force) Committees

- a) Council may establish special purpose (ad hoc/steering/task force) committees for special projects to consider a specific matter on a required basis, upon the recommendation of Council, Committee of the Whole or staff.
- b) A special purpose Committee must have a clear mandate and well-defined terms of reference.
- c) Public membership on special purpose committees will be solicited pursuant to Town policy.
- d) Any member of Council may attend and participate in meetings of a special purpose committee, but may not vote, unless appointed by Council.

4.16 Town Hall Meetings (Public Forum, Public Information Session, Public Consultation Session, Council Public Open House)

- a) The purpose of a Town Hall meeting is to allow members of the public an opportunity to provide comment and input to Council as a whole.
- b) A majority of members of Council may petition the Clerk to hold a Town Hall meeting.
- c) The Mayor or Deputy Mayor shall chair the meeting.
- d) The Chair may ask a staff member to provide information to the public or to answer a question raised by a member of the public.
- e) No member of the public may debate with staff or make derogatory comments to staff.
- f) Each member of the public may speak for up to three (3) minutes and may not speak a second time until after everyone present has had an opportunity to speak, time permitting.
- g) At least two weeks' notice must be provided in the newspaper and on the Town's website prior to the Town Hall meeting being held.
- h) As a general rule, meetings will be scheduled for at least two hours and all attendees will be given at least one opportunity to speak.

- i) At the call of the majority of Council members present the meeting may be adjourned after the time allotted for the meeting has passed or after everyone present has had at least one opportunity to speak.
- j) A Town Hall meeting is not a Council or Committee meeting – there are no discussions regarding any matter in a way that materially advances the business or decision-making of the council, local board or committee.
- k) Town Hall meetings are open to the public.
- l) Council Public Open House is held in accordance with the Town's Policy 2-13.

4.17 Non Business Meetings of Council

- a) Council may, as provided for in the *Municipal Act, 2001* establish a Meeting of for the purposes of information or training of Members of Council.
- b) An Orientation meeting (s) of the Council shall be considered as a non-business meeting to newly elected members of Council, to be scheduled following the Election Day.
- c) Such meetings may be closed to the public as provided for in this By-Law and the *Municipal Act, 2001*.
- d) The orientation shall be for information and training purposes only, at which no member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Council or Committee.
- e) There will be no motions or recommendations considered (except to move into Closed Session, if required).

4.18 Closed Meetings

- a) As required in the *Municipal Act, 2001*, a meeting or part of a meeting of the Council or its Committees may be closed to the public if the subject matter being considered pertains to:
 - The security of the property of the municipality or local board.
 - Personal matters about an identifiable individual, including municipal or local board employees.
 - A proposed or pending acquisition or disposition of land by the municipality or local board.
 - Labour relations or employee negotiations.
 - Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
 - Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

- A matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.
 - A request under the *Municipal Freedom of Information and Protection of Privacy Act*, if the council, board, commission or other body is the head of an institution for the purposes of that Act.
 - An ongoing investigation respecting the municipality, a local board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of this Act, or the investigator referred to in subsection 239.2 (1)..
- b) **Public Information - Motion:** Prior to holding a meeting or part of a meeting that is to be closed to the public a Motion is required to be passed to close a Meeting or part of a Meeting to the public. Such as Motion shall state:
- (1) the fact of the holding of the Closed Meeting and the date and time of starting;
 - (2) The general nature of the matter to be considered at the Closed Meeting as specified in the *Municipal Act, 2001*
- c) **Location:** All closed meeting items are discussed by Council/Committee immediately preceding or at the end as the last business item of the regular Council/Committee meeting.
- (1) Council meetings: The meeting commences in the Council Chambers in open session, resolves into the “Closed Meeting” and proceeds to the Councillors’ Lounge or another location for the Closed Meeting as specified by the Mayor. Once the closed meeting has ended that the Council moves back into the Council Chambers to report out in a public forum.
 - (2) Committee meetings: The meeting commences in the Classroom or other designated meeting location in Open Session, resolves into the “Closed Meeting” in that same location or another location as specified by the Chair.
- d) **Leave Meeting During Closed Session:** Where a Meeting or part of a Meeting is closed to the public, all persons not specifically invited by the Chair to remain, shall retire from (or not enter) the Meeting room. The Clerk shall remain during Closed Session meetings.
- e) **Information Confidential:** Members and Staff must keep confidential all matters disclosed to them during closed meetings. All information, documentation or deliberations received, reviewed, or taken in a closed meeting, including the agenda, is confidential and must not be released to the public or any individual not entitled to be present at the meeting.
- f) **Confidential Material:** The Clerk shall distribute all confidential reports and material for closed meetings in sealed envelopes. All copies of confidential

reports and materials are to be returned to the Clerk immediately following the meeting and then destroyed.

- g) **Material – Member with Pecuniary Interest:** Members shall disclose any interest in a matter being considered at any Meeting in accordance with the provision of conflict of interest legislation currently in effect. If a member of Council or Committee believes or knows that he/she has a potential pecuniary interest, the member must return the envelope, and confidential documents, unopened to the Clerk. The Clerk will note in the official record that the envelope was returned unopened and then destroy the material. If a member of Council or Committee determines that he/she has a pecuniary interest after reading the material that material shall be returned to the Clerk as soon as possible.
- h) **Limits on voting actions:** No voting may take place during a closed meeting except if the vote is for a procedural matter or for giving direction or instruction to officers, employees or agents of the municipality, or persons retained by or under contract with the municipality. That all directions or instructions given in a closed meeting be by motion, in writing, and voted on.
- i) **Final decision on item from Closed Meeting:** Subject to the provision of the *Municipal Act, 2001*, a closed session item that requires a final decision must be done by resolution in open session immediately following. Upon return to the Regular Meeting, the Chair shall rise and report on the subject matter, and at that time, any direction or a vote on the subject, will proceed, if required. In open session, for the public record, that the Chair states the matters which were considered in the closed meeting and confirmation that no motions were carried in a closed meeting other than procedural motions or directions to staff.
- j) That the closed meeting agenda include a description of the items to be discussed in Closed Session.
- k) That closed meeting minutes be kept and shall record:
 - (1) Where the meeting took place;
 - (2) When the meeting started and adjourned;
 - (3) Who chaired the meeting;
 - (4) Who was in attendance, including the identity of the Clerk or other designated official responsible for recording the meeting;
 - (5) Whether any participants left or arrived while the meeting was in progress and if so, at what time this occurred;
 - (6) A detailed description of the substantive and procedural matters discussed, including specific reference to any documents considered and any comments that are specifically requested be recorded;
 - (7) Any motions, including who introduced the motion and seconders; and
 - (8) All votes taken and all directions given.
- l) That the closed meeting minutes be circulated to members of Council for the Agenda of the next regular Closed Session meeting of Council to be considered for adoption as a procedural matter.

- m) That closed meeting minutes be managed by the Clerk's Office.
- n) That all closed meeting sessions of Council are audio recorded and that these recorded sessions are not available to the public.

ARTICLE 5.0

ORDER OF BUSINESS

5.1 Council Agenda

- a) The Clerk shall have prepared and printed for the use of the Members at the regular Meeting of Council, an Agenda under the following headings:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest
 - 3. Adoption of Council Minutes
 - 4. Deputations, Presentations, Petitions and Public Meetings
 - 5. Comment Period
 - 6. Unfinished Business
 - 7. Correspondence
 - Received for Information
 - Requiring Action
 - To be Referred
 - 8. Committees, Boards & Staff Reports
 - 9. Notices of Motion
 - 10. Motion Where Notice Has Been Given
 - 11. By-Laws and Confirmatory By-Law
 - 12. Calling of Committee Meetings
 - 12. Question Period
 - 13. Closed Session (as required)
 - 14. Reports from Closed Session (as required)
 - 15. Adjournment

5.2 Committee of the Whole Agenda

- a) The Clerk shall have prepared and printed for the use of the Members at the Committee of the Whole meetings, an Agenda under the following headings:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest
 - 3. Deputations, Petitions, Presentations and Public Meetings
 - 4. Unfinished Business
 - 5. New Business
 - 6. Items for Future Meetings
 - 7. Closed Session (as required)
 - 8. Reports from Closed Session (as required)
 - 9. Adjournment

5.3 **Coordinated Committee of Council Agenda**

- a) The Clerk shall have prepared and printed for the use of the Members at the Coordinated Committee of Council meetings, an Agenda under the following headings:

1. **Call to Order**
2. **Disclosure of Pecuniary Interest**
4. **Community Services Section**
 - a) Deputations, Petitions, Presentations and Public Meetings
 - b) Unfinished Business
 - c) Other Agency Reports
 - d) Consent Agenda
 - i) Departmental Staff Reports
 - Fire and Emergency Department
 - Municipal Law Enforcement and Licensing
 - Parks, Facilities and Recreation
 - e) Accounts
 - f) Other Matters
5. **Public Works Section**
 - a) Deputations, Petitions, Presentations and Public Meetings
 - b) Unfinished Business
 - c) Other Agency Reports
 - d) Consent Agenda
 - i) Departmental Staff Reports
 - Public Works
 - Transportation
 - Engineering
 - Environmental
 - e) Accounts
 - f) Other Matters
5. **Development Services Section**
 - a) Deputations, Petitions, Presentations and Public Meetings
 - b) Unfinished Business
 - c) Other Agency Reports
 - d) Consent Agenda
 - i) Departmental Staff Reports
 - ii) Official Plan Amendments
 - iii) Zoning Amendments
 - iv) Subdivision/Condominium Matters
 - v) Site Plan Matters
 - vi)) Building Department Matters
 - e) Accounts
 - f) Other Matters

6. General Government Section

- a) Deputations, Petitions, Presentations and Public Meetings
- b) Unfinished Business
- c) Other Agency Reports
- d) Consent Agenda
 - i) Departmental Staff Reports
 - Economic Development and Tourism
 - Special Events
 - Administration
 - Finance
- e) Accounts
- f) Other Matters
- g) Date of Next Meeting

7. Closed Session (as required)

8. Reports from Closed Session (as required)

9. Adjournment

5.4 Non Business Meetings of Committee of the Whole of Council

- a) The Clerk shall have prepared and printed for the use of the Members at the Non-Business meetings, an Agenda under the following headings:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest
 - 3. New Business
 - 4. Adjournment

5.5 Advisory Committees of Council Agenda

- a) The Committee Secretary shall have prepared and printed for the use of the Members at Advisory Committee meetings, an Agenda under the following headings:
 - 1. Call to Order
 - 2. Disclosure of Pecuniary Interest
 - 4. Minutes of Last Meeting
 - 5. Deputations/Presentations
 - 6. Unfinished Business
 - 7. Sub-Committee Reports, if any
 - 8. New Business
 - 9. Items for Future Meetings
 - 10. Date of Next Meeting
 - 11. Closed Session (as required)
 - 12. Reports from Closed Session (as required)
 - 13. Adjournment

ARTICLE 6.0

RULES FOR AGENDA ITEMS

6.1 Submission of Agenda Information

- a) All information to be included on Agendas shall be delivered to the Clerk's Office, or designated Committee Secretary, prior to the finalization of the Agenda for the scheduled Meeting.
- b) It shall be the Clerk's responsibility to ensure Council, Committee of the Whole and Coordinated Committee agendas are distributed to members of Council and/or Committees and Operating Departments, prior to the scheduled Meeting with adequate time to review.
- c) Agendas for Meetings of Council, Committee of the Whole, Coordinated Committee, Non Business meetings and other Committees and meetings of Council shall be distributed to the public and posted on the Town's website no later than 9:00 a.m. Monday preceding the scheduled Meeting.

6.2 Order on the Agenda

The business of Council or Committees, shall in all cases, be dealt with and be taken up in the order in which it stands upon the agenda unless otherwise decided by a majority of those Members present.

6.3 Disclosure of Interest

- a) **Member Responsibility:** All Members shall govern themselves at any meeting in accordance with the current legislation respecting any disclosure of pecuniary interest. It is the responsibility of the Member to identify and disclose any pecuniary interest.
- b) **Disclosing - No Influencing:** The Member shall disclose the interest including the general nature thereof, prior to any consideration of the matter and shall not move or second any motion put forward for discussion, take part in the discussion of, or vote on any question in respect of the matter and shall not attempt in any way whether before, during or after the meeting to influence the voting on any such question.
- c) **Member – Leave Meeting – Closed Session:** Where the meeting is not open to the public, the Member having disclosed an interest shall immediately leave the Meeting or the part of the meeting during which the matter is under consideration
- d) **Member – Absent from Meeting:** Where a Member is absent from a meeting which includes a matter on which they have a pecuniary interest, the Member shall disclose this interest at the next meeting they attend.

- e) **Declaration – Recorded in Minutes – Meeting Open to Public:** The declaration of interest shall be recorded in the Minutes or report of the meeting and, where the meeting was open to the public, the general nature of such declaration.
- f) **Declaration – Recorded in Minutes – Meeting Closed to Public:** Disclosures of interest, but not the general nature of that interest, shall, where the meeting is not open to the public, be recorded in the minutes of the next Meeting that is open to the public.

6.4 Adoption of Minutes

- a) Minutes shall record:
 - (1) the place, date and time of Meeting;
 - (2) the name of the Chair/Mayor and of the Members, parties to Statutory Public Meetings, Delegations, presentation/award recipients, Committee presentations, and staff, and shall indicate if “interested public” or “interested staff” are in attendance.
 - (3) the correction, if any, and adoption of the Minutes of prior meetings;
 - (4) all motions, resolutions, decisions and other statutory proceedings of the Council or Committee without note or comment
 - (5) all resolutions convened in closed session and requiring ratification in open session, with a separate vote on each item in open session
- b) It shall be the duty of the Clerk to ensure that the Minutes of the last Regular Meeting of Council and all subsequent Special Meetings of Council, held more than three days prior to a Regular Meeting are made available to each Member not less than forty-eight (48) hours before the hour appointed for holding the following Regular Meeting.
- c) The Minutes of Regular and Special Meetings of Council shall be considered and adopted by Council resolution.
- d) The Minutes of Special Purpose Committees and Advisory Committees shall include the minutes of the previous meeting to be considered, received and accepted by resolution of the Committee.
- e) Coordinated Committee of Council and Committee of the Whole minutes shall be included on the next Regular Meeting of Council for adoption of recommendations contained therein.

6.5 Deputations, Presentations, Petitions & Public Meetings

All requests must be made in writing to the Clerk’s Office, or designated Committee Secretary prior to the finalization of the Agenda and prior to the scheduled Meeting.

- b. Every communication, including a petition designed to be presented to Council, shall be legibly written or printed and shall not contain any obscene or improper matter or language and shall be signed by at least one person and filed with the

Clerk. Illegible, improper or unsigned communications may be withheld by the Clerk.

- c. All material pertaining to the deputation/presentation/public meeting including, but not limited to PowerPoint presentations, brochures, correspondence etc. shall be provided to the Clerk's Office, or designated Committee Secretary prior to the finalization of the Agenda and prior to the scheduled Meeting.

1) Deputations

- a. The Clerk shall be empowered to refer requests made of Council for a deputation to the appropriate Committees of Council or to a Council meeting as he/she deems necessary.
- b. The request for a deputation must be in writing and must describe the subject matter on which the person wishes to address the Council/Committee.

(1) Denial of Deputation Requests: The Clerk shall deny a request for a Deputation where:

- a. The subject matter that the person wishes to address or the outcome that the person seeks from the Council/Committee is not within the Town's authority;
- b. The person wishes to address the Council/Committee to request financial support for a purpose which falls within the criteria of the Town's established financial assistance policy, unless requested by Council to appear;
- c. The subject matter involves litigation or potential litigation with the Town;
- d. The subject matter has already been presented within the previous twelve (12) months to the Council/Committee by the Deputant or an organization to which they belong, unless new information is being presented;
- e. The Deputant wishes to have a prior decision of Council reconsidered;
- f. The Council or Committee has made the decision and/or a recommendation of the Mayor and/or CAO to deny the request;
- g. The Deputant wishes to address a matter which was the subject of the Town Council (Public Meeting) under the *Planning Act*.

(2) Scheduling Deputations:

- a. Wherever possible, the Deputation shall be scheduled for the appropriate session of Council or Committee, considering the subject matter of the Deputation.

- b. Where the person requesting the Deputation is unable to attend on that date, or where the matter involves other time constraints, the Deputation shall be scheduled on a date that is most convenient.
- c. A maximum of three (3) deputations/presentations/public meetings may take place per Council meeting. The Clerk, the CAO and/or Chair/Mayor will determine if additional deputations/presentations/public meetings will be permitted on the Agenda.
- d. A maximum of two (2) deputations/presentations/public meetings may take place per Committee of the Whole meeting. The Clerk, the CAO and/or Chair/Mayor will determine if additional deputations/presentations/public meetings will be permitted on the Agenda.
- e. A maximum of two (2) deputations/presentations/public meetings per Section may take place per Coordinated Committee meeting. The Clerk, the CAO and/or Chair/Mayor will determine if additional deputations/presentations/public meetings will be permitted on the Agenda.

(3) Information to Deputant:

- a. The Clerk shall provide the Deputant with information outlining the Deputation process.

(4) Rules for the Deputant:

- i. If the Deputant wishes to distribute printed material with the agenda packages to the Members, including material printed in colour or otherwise impossible or impractical for the Clerk to reproduce, the Deputant shall provide the Clerk's Office with sufficient copies of the material to supply to Members, staff and the media, the Wednesday prior to the meeting at which he/she will appear. All written material produced for publication must be in or available in an accessible format.
- ii. Persons making a deputation shall be limited in speaking to not more than ten (10) minutes. This time limit does not include the time within which Members may question the Deputant. An extension of this time limit will only be granted by the Chair upon the majority of the Council/Committee agreeing.
- iii. If a Deputation includes more than one person, delegates shall be limited to two (2) speakers; the combined speaking time of all persons addressing the Committee/Council shall not exceed the limit of 10 minutes.
- iv. The Deputant must restrict their comments to the subject matter outlined in their request for Deputation.

- v. Where several Deputations are scheduled on the same topic, the Chair may request that the Deputations subsequent to each preceding Deputation only bring forward new information to the Committee.
- vi. All comments from the Deputant shall be directed through the Chair without the use of offensive language or behavior.
- vii. Presentations shall be free of statements or material which is contrary to the Ontario Human Rights code and other laws of Ontario and Canada and delegates will be informed that normal courteous behavior and decorum are expected in addressing Council or Committee.
- viii. In responding to questions from Members, the Deputant shall not enter into Debate or question Members of Council/Committee.
- ix. Deputants must observe the rules set out in this By-Law, and the decisions and directions of the Chair presiding at the Meeting.

(5) Sanctions:

- a. Where a Deputant disregards any one or more of the rules of this By-Law, the Chair shall advise the Deputant of the error, remind him or her of the rules, and request that he or she adhere to the rules; or if the Deputant repeatedly ignores the rules, the Chair may call an end to the Deputation.
- b. Where a Deputant repeatedly disregards any one or more of the rules, the Chair may immediately order the Deputant to leave the Meeting room for the remainder of the Meeting.
- c. If the Deputant refuses to leave the Meeting, he or she may be escorted from the building.
- d. Council may, at its discretion, prohibit anyone from making Deputations for a period of time.

(6) Rules for Members and Staff:

- a. When a request for a Deputation has been denied, the Clerk shall provide the person who made the request, the Members of the Council/Committee and the CAO with a memorandum outlining the reasons for the denial.
- b. Where a Deputation relates to a matter on the agenda, the Deputation shall be scheduled on the same agenda. The Chair, with the approval of the members may move the related matter on the Agenda to follow the Deputation.

- c. When a Deputation is received after 12:00 noon, and after the finalization of the Agenda, the Clerk, CAO and/or Mayor/Chair may decide if the Deputation should be permitted to be added to the Agenda.
- d. Upon the conclusion of a Deputation, Members may ask questions of the Deputant. Questions to Deputants shall be limited to the subject matter of the Deputation.
- e. Members shall not enter into debate with Deputants.
- f. The Deputant shall be excused after Members of Council/Committee have had the opportunity to question him or her. Questions by Members can be addressed to staff at this point.
- g. Except in cases involving established time constraints, no Motion regarding any Deputation not associated with another agenda item shall be presented at the same Meeting as the one at which the Deputation occurred;
- h. Upon the conclusion of a Deputation, submissions shall be received for information or referred to the appropriate Committee or staff for review, report and recommendation.

2) Presentations

- a) All requests for Presentations to all meetings of Council and Committees must be made in writing to the Clerk prior to the finalization of the Agenda and prior to the scheduled Meeting at which the person wishes to appear.
- b) The subject matter of the Presentation must meet the definition of Presentation described in this By-Law.
- c) The Clerk shall schedule the Presentation and provide the Presenter with the appropriate information.
- d) Rules for Deputations also apply to Presentations, with the exception of Time Limits.

3) Petitions

- a) All petitions are to be received by Council.
- b) Every petition for presentation to Council must be an original legibly written, typed or printed and signed by at least one person. The Clerk will list petitions received prior to the finalization of the Agenda and prior to the regular Council meeting. All petitions received after this time will be held over for consideration at a subsequent meeting of Council unless the petition directly relates to items of business on the agenda.

- c) Petitions must include the reason for the petition and the individual/group presenting the petition to Council and shall include the lead petitioner's printed name and local address, and written signature.
- d) Once presented with a petition, Council may request, by motion, that it be referred to a particular staff or committee for a report to the applicable Coordinated Committee.
- e) Debate is not allowed on petitions except in the context of a motion already on the Council agenda.

4) Public Meetings

- a) Items being brought forward under the *Municipal Act* and/or the *Planning Act* or any other Act will be dealt with by Council or Committee provided that all advertising and notices have been completed and the holding of the said Public Meeting will be in conformity with the said Act(s).
- b) Generally, only two (2) Public Meetings per meeting. Rules for Deputations also apply to Public Meetings, with the exception of Time Limits, and any other applicable Acts.

6.6 Unfinished Business

All agenda items prepared for a previous Meeting agenda that have not been completed at the Meeting, will be presented at a reconvened Meeting under Unfinished Business.

6.7 Correspondence

The agenda includes those pieces of external correspondence addressed to Council, the Mayor, the Clerk or any other staff member that are intended to be brought to the formal attention of the Council.

a) Received for Information

General correspondence will be copied on the Agenda and will be received for information.

b) Requiring Action

Correspondence requiring action will be copied on the Agenda, with a recommendation from the appropriate Department Head. Includes those items presented seeking a decision from Council. The Clerk will forward to the appropriate staff to follow up on Council's direction.

c) Referred

Correspondence to be referred will be copied on the Agenda and the Clerk will ensure copies are referred to the appropriate Department for a report to include on the Agenda of the applicable Committee for a recommendation to Council.

6.8 Committees, Boards & Staff Reports

a) Coordinated Committee/Committee of the Whole Minutes and Chair Reports

- (1) Minutes of Coordinated Committee and Committee of the Whole Meetings and the recommendations contained therein, shall be copied and circulated on the Agenda for Council. The minutes shall come forward with a cover report from the Committee Chair summarizing the Actions.
- (2) Upon introduction of the motion to adopt the Report, the Committee Chair or Vice-Chair will have an opportunity to speak to the report.
- (3) Upon adoption, all recommendations contained therein are adopted and are authorized.
- (4) A member of Council may request to amend the motion adopting a Report of a Coordinated Committee or Committee of the Whole to vote on an item separately which is contained in the Report. Said request may be provided to the to the Clerk prior to the meeting. The remainder of the Report and the recommendations contained therein will be voted on, save and except the item voted on separately, and shall be noted on the motion accordingly.

b) Other Committees and Board Reports

- (1) Reports from Other Committees and Boards shall be copied and circulated with the applicable Section Agenda and be received and/or adopted.
- (2) Members of Council may give a report on their attendance at Advisory and other Committees they represent on behalf of Council.

c) Reports Requested from Municipal Staff

- (1) Requests for reports from Departments, when made at a Meeting of Council, Committee of the Whole or Coordinated Committee, shall be by majority decision of the assembly and directed to the Chief Administrative Officer, who shall give direction to the appropriate Departments, through the distribution of the Resolution.

b) Reports to Council – reports may be presented directly to Town Council when:

- (1) The matter contained in the report is of an urgent nature and cannot be delayed by presenting to a regular Coordinated Committee Meeting or Committee of the Whole.
- (3) Reports presented at the Inaugural Meeting of Town Council include:
 - a. The appointment of Signing Officers;
 - b. The appointment of Chairs and Co-Chairs of Coordinated Committee, in accordance with this By-Law;
 - c. The appointments to various boards and committees.

(4) Confirmation of Accounts

d) Coordinated Committee or Committee of the Whole

(1) Corporate Staff Reports prepared for presentation at Committee of the Whole and Coordinated Committee, as follows:

- a. Department Monthly Reports are those reports prepared summarizing the Department's monthly activities, for information of the Committee.
- b. Reports for Further Consideration are those reports presented at a previous Meeting at which time the Committee deferred action on the matter or referred the matter to Staff or an alternate Committee.
- c. Reports for Consideration includes those reports presented seeking a recommendation from the Committee to Council for approval.
- d. Reports for Information includes those reports presented for information only.
- e. Minutes from Advisory and other Committees of Council, for information recommendations from Advisory and other Committees of Council, for consideration.
- f. Reports to appoint members to various boards and committees shall be directed to Committee of the Whole for consideration and recommendation to Council by By-law.

6.9 Notices of Motion

- a) At a Regular Council Meeting, Members of Council may give notice of their intent to introduce a motion at an upcoming Coordinated Committee Meeting, Committee of the Whole or Meeting of Council.
- b) Notices of Motion shall be in writing and delivered to the Clerk's Office before noon on the day of the Meeting of Council. The Clerk shall provide the motion to the Mayor/Chair to be read into the record. No Secunder is required. The Notice is not debatable.

6.10 Motion Where Notice Has Been Given

- a) **Where Notice has been Given:** All Motions where notice has been given at a previous meeting of Council, Coordinated Committee or Committee of the Whole meeting, shall be listed on the Agenda.
 - (1) Council Meetings: Where a Notice of Motion has been given and approved at a previous meeting; the matter to be dealt with shall be listed under "Motion Where Notice Has Been Given".

(2) Committee Meetings: Where a Notice of Motion has been given and approved at a previous meeting; the matter to be dealt with shall be listed under "New Business".

b) **Dispensing with Notice:** Any motion may be introduced without notice if Council and/or Committee, without debate, dispenses with notice on the affirmative vote of a least two-thirds majority of the voting Members in attendance. The motion shall be in writing and seconded before the Chair can read the question for debate. The question stated shall be put to a vote and recorded in the minutes.

6.11 By-Laws and Confirmatory By-Law

a) Corporate by-laws are presented at Meetings of Town Council for consideration.

b) Except a by-law to confirm the proceedings of Council, the subject matter of a by-law must have either been:

- (1) Considered and recommended by Committee of the Whole or Coordinated Committee and ratified by Council;
- (2) Considered and adopted by Council;
- (3) Recommended by the CAO.

c) Every by-law must be in typewritten form conforming to accepted procedure and in compliance with the provisions of any Act and shall be complete with the exception of the number and date of passing.

d) Every by-law shall be introduced by Motion, specifying the subject of the by-laws and open to Debate and amendment prior to passing:

- (1) May be considered and debated separately;
- (2) May be referred to the Committee of the Whole or Coordinated Committee for further consideration;
- (3) May be deferred to a subsequent Meeting date of Council
- (4) May be referred back to staff for further review

e) The Chair of the appropriate Coordinated Committee may give a brief explanation of the by-law.

f) The first, second, third and final reading of a by-law may be done by one motion. A majority vote of Council is required.

g) If Council determines that the by-law is to be reconsidered in Committee, it shall be so considered before the third reading.

h) Any proposed By-Law, after first reading, shall be considered approval in principle, subject to certain matters being addressed, including consultation with the public.

- i) Any proposed By-Law after second reading may, upon direction of Council, be advertised in the local papers.
- j) The Clerk shall be responsible for the correctness of the By-Law when and as amended.
- k) Every by-law enacted by Council shall be numbered and dated and shall be sealed with the seal of the Corporation and signed by the Clerk and by the Mayor at the Meeting at which the By-Law was passed.
- l) Every by-law shall be indexed, deposited in the By-Law Book and filed in a secure location in the Office of the Clerk.
- m) If by oversight the Seal of the Corporation was not affixed to a by-law, it may be affixed at any time afterwards and when so affixed, the by-law is as valid as if it had been originally sealed.
- n) **Confirmatory By-Law**
 - (1) The Confirmatory By-Law is presented at each Town Council Meeting to confirm the proceedings of Council at that meeting in respect of each motion, resolution and other action taken.
 - (2) Notwithstanding the above, the motion for the Confirmatory By-Law shall be read a first, second, third and final time, without debate or question.
 - (3) With the adoption of the Confirmatory By-Law, the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to said actions or to obtain approvals where required, and except where otherwise provided, the Clerk and Mayor are authorized and directed to execute all documents necessary and to affix the corporate seal of the Town to all such documents.

6.12 Calling of Committee Meetings

- a) The Clerk will announce the date, time and place of any Coordinated Committee, Committee of the Whole or Council meeting to be held prior to the next Regular Meeting of Council.

6.13 Items for Future Meetings

- a) Items brought forward under this section shall not be discussed at length at the meeting in which they are presented. With the consent of the majority of committee/council, the item will be placed under the Unfinished Business section of the next meeting agenda and/or may appear as an agenda item on the next or future meeting agenda. At that meeting the member of Council who raised the item can speak to it. The provisions of 6.08 c) shall apply if a report from staff is to be requested. Items raised under this section are to be considered in a like manner to a Notice of Motion.

6.14 Question and Comment Periods

- a) Persons wishing to ask a question or make a comment must state their name and address for the record.
- b) Questions and comments must be specific to an item listed on the Agenda and are limited to a maximum of 5 minutes per person.
- c) In the event a large number of people in attendance wish to ask a question or make a comment, a time limit per individual may be imposed at the discretion of the Chair.

Question Period

- d) A fifteen (15) minute session at the end of the meeting wherein persons in attendance at the Regular Meeting of Council have an opportunity to raise questions pertaining to items that are listed on the Agenda to be dealt with by Council.
- e) The Chair shall request the appropriate Chair or Vice-Chair of the Committee, for which the subject matter pertains, to respond to a question.

Comment Period

- f) A fifteen (15) minute session at the beginning of the meeting wherein persons in attendance at the Regular Meeting of Council have an opportunity to make a comment pertaining to items that are listed on the Agenda to be dealt with by Council.
- g) Comments will be received for Council consideration but will not be discussed or debated at this time.

6.15 Adjournment

- a) The meeting will be adjourned by the Mayor/Chair.

6.16 Curfew – Motion to Continue

- a) No item of business may be dealt with at a Council or Committee Meeting after 10:00 p.m., unless the Chair presents a Motion to extend the hour. Two-thirds vote required to continue.
- b) If a two-thirds vote is not achieved to extend the meeting, Council or Committee will move to adjournment. The unfinished items will be deferred to the next regularly scheduled meeting to be noted under Unfinished Business.

ARTICLE 7.0

MOTIONS

7.1 Rules of Motions

- a) A motion must first be moved and seconded before the question is put to the Committee for debate and vote.

- b) The Member who moves the motion cannot vote in opposition of the motion; however, the Member who seconds the motion can vote in opposition of the motion.
- c) Once a Motion is first proposed and seconded, but before the question is stated, it may be modified (deferred, referred, withdrawn, amended) with the permission of the mover and seconder.
- d) Once a Motion has been moved and seconded and after the question stated by the Mayor/Chair, it is in the possession of the Council/Committee to dispose of and may be modified through a motion (verbal or written) and subsequent majority vote.
- e) A member who declares a conflict shall not move or second a motion.
- f) A motion properly before Council for decision must receive disposition before any other motion can be received except a motion to amend, for the previous question, to adjourn, to extend the hour of closing proceedings, to commit or on a matter of privilege.

7.2 Motions Without Notice

The Motions listed in this Section may be introduced verbally without written notice:

- a) A Point of Order or a Point of Privilege;
- b) To Refer a matter under discussion;
- c) To defer a matter under discussion;
- d) Motions to suspend a Rule or Procedure;
- e) Motions to adjourn;
- f) Motions to vote on the question.

7.3 Coordinated Committee and Committee of the Whole Motions

- a) All Motions, except procedural Motions, voted on in Committee of the Whole or Coordinated Committee become recommendations to Town Council.
- b) Council shall ratify each recommendation of Committee of the Whole or Coordinated Committee before it can become effective, through:
 - (1) Presentation of the Committee of the Whole and Coordinated Committee minutes, including all motions contained within the minutes, to Council; or
 - (2) Presentation of individual recommendations from Committee of the Whole or Coordinated Committee to Council.
- c) Council may extract any motion from the Committee of the Whole or Coordinated Committee Reports to consider the motion separately.

- d) As it is a recommendation of a Committee, if it is being reversed or amended, the extracted motion is not required to be rescinded before it is considered for a decision of Council.
- e) If the extracted motion is amended or the Committee recommendation is reversed, the Committee of the Whole or Coordinated Committee minutes will not be amended.

7.4 Dividing a Question

- a) When a Motion under consideration concerns two or more matters, each matter may be voted on separately upon the request of any Member, using the original mover and seconder of the motion.

7.5 Withdrawal of Motion

a) Motions to Withdraw

- (1) Motions to withdraw a motion shall:
 - a. require a Secunder;
 - b. not be Amended;
 - c. not be Debated;
 - d. not required in writing;
 - e. require a majority vote;
 - f. not be reconsidered;
 - g. be entered into the minutes and noted "withdrawn".
- (2) Any motion may be withdrawn with the permission of the Council/ Committee. When a motion is first proposed and seconded, but before the Chair states it, it belongs to the proposer of the motion. It may be withdrawn or modified without the permission of the Council/ Committee. Once the Chair has stated a motion, it belongs to the Council/ Committee, and permission is required to withdraw it. If a motion is withdrawn after being stated by the Chair, it is recorded in the minutes.

7.6 Motion Under Debate

When a motion is under debate, no other motion shall be received except for the following purposes:

- a) To defer;
- b) To amend;
- c) To put the question to a vote;
- d) To table a question;
- e) To recess;
- f) To refer;
- g) A motion containing distinct proposals may be divided if approved by majority vote;
- h) To adjourn.

7.7 Rules for Subsequent Motions

a) Motions to Adjourn

- (1) Motions to adjourn shall:
 - a. require a Secunder;
 - b. not be debated;
 - c. not be amendable;
 - d. requires majority vote;
 - e. not be reconsidered;
 - f. not include qualifications of additional statements; and
 - g. always be in order.
- (2) When a Motion to adjourn is lost, no further Motion to adjourn may be made until the matter at hand has been concluded.

b) Motions to Extend the Hour

- (1) Motions to extend the hour shall:
 - a) Require Secunder;
 - b) Not be amended;
 - c) Not be debated;
 - d) Require a two-thirds vote;
 - e) Not be reconsidered;
 - f) Be in writing; and
 - g) Always be in order, except when a member is speaking or the members are voting.

c) Motions to Recess

- (1) The Chair may suggest a recess of the meeting or an adjournment to another day, such as to obtain information needed by the meeting. Motions to recess, shall:
 - a) Require Secunder;
 - b) Require a majority vote;
 - c) Be debatable;
 - d) Be amendable only as to the length of time for the recess;
 - e) Note the length of time for the recess;
 - f) Chair may recess or adjourn a disorderly meeting that cannot be brought to order, without the need for a vote.

c) Motions to Vote on the Question

- (1) A Motion to close the debate and vote on the question is in order at any time, and shall:

- a. not required in writing;
- b. not be Amended;
- c. not be Debated; and
- d. If carried lead directly to a vote on the question.

d) Motions to Defer

- (1) If a Motion to Defer is decided in the affirmative by a majority vote of the Members present, then the main Motion and any Amendments to it shall be removed from the consideration until such time as provided for in the Motion. A Motion to defer a matter pending receipt of further information shall:
 - a. Be in writing;
 - b. Require a Secunder;
 - c. Include time, place, and the purpose of the deferral, if applicable;
 - d. Not be Amended;
 - e. Be debatable only as to time, place and direction;
 - f. Not be reconsidered until the time specified in the motion to defer;
 - g. Apply to the main Motion and any Amendments to it under Debate at the time when the Motion to defer was made;
 - h. Require a majority vote;
 - i. Be entered into the minutes and noted “deferred”.

e) Motions to Refer

- (1) A Motion to Refer a matter under consideration to a Committee or Staff shall:
 - a. Be in writing;
 - b. Require a Secunder;
 - c. Be open to Debate;
 - d. Be Amendable; and
 - e. Require a majority vote;
 - f. Not be reconsidered;
 - g. End further Amendment or Debate of the preceding Motion, unless the Motion to refer is lost;
 - h. Be entered into the minutes and noted “referred”.

f) Motions to Amend

- 1) Motions can be amended. When a motion is first proposed and seconded, but before the Chair states it, it belongs to the proposer of the motion. It may be modified without the permission of the Council/ Committee. After the Chair has stated a motion, it belongs to the Council/ Committee, and permission by the whole body is required to amend it.

- 2) Once a Motion has been introduced, it is in the possession of the Council/Committee and can only be amended through a Motion and subsequent vote, and shall:
 - a. Require a Seconder;
 - b. Be in writing;
 - c. Be open to Debate;
 - d. Be amendable;
 - e. Require a majority vote;
 - f. Be relevant to the question to be received;
 - g. Not be contrary to the main Motion; and
 - h. Only one amendment shall be allowed to an amendment.
- 3) May be a “friendly amendment”, that does not affect the overall meaning of the motion, such as a change in wording, punctuation, word order, grammar, omission or error, whereby a verbal consensus is required by the Committee or Council to re-word the motion to accommodate the amendment, without the necessity of a vote.
- 4) If it is not a “friendly amendment” as stated above, whereby it changes the meaning and/or intent of the motion, then the motion to amend shall be in writing and put to a vote in the reverse order to that in which they are moved.
- 5) A Motion to amend the main Motion must be dealt with prior to presenting any additional Motions to amend the main Motion.
- 6) When the question is settled, another amendment to the motion to amend may be made.
- 7) An Amending motion to the main Motion can be amended, with no more than one (1) amending motion to amend on the floor at a time.
- 8) Once all the amendments have been settled, a vote takes place on the main motion, or if any amendment has carried, on the main motion as amended.
- 9) All amendments shall be decided or withdrawn before the main motion is put to the vote.
- 10) If the mover and seconder of the motion do not agree with the amendments, or declare a conflict, they may, without further discussion, withdraw their support for the original motion as amended and a new mover and seconder would be required to move the motion as amended. If the amendments are carried, then the original motion as amended would be put to the vote.

- 11) After a motion as amended is finally put, no member shall speak to the motion nor shall any other motion be made until after the vote is taken and the result is declared.

7.8 Motion to Suspend the Rules

- a) A motion to suspend the Rules of Procedure of Council, shall:
 - (1) Not be in writing;
 - (2) Be specific to the rule to be suspended and the purpose of doing so;
 - (3) Require a Secunder;
 - (4) Not be Debatable;
 - (5) Not be Amendable;
 - (6) Requires a two-thirds vote of Council; and
 - (7) Not be Reconsidered;
 - (8) Shall only be in order at Council Meetings.

7.9 Jurisdiction

A Motion in respect of a matter that conveys authority or direction that is beyond the power of Council or Committee is not in order.

7.10 Submission of Motion

Notice of all new Motions except Motions listed in Section 7.01 - Motions Without Notice, shall be given in writing to the Clerk by 12 noon eight (8) days preceding the date of the Meeting at which a Motion is to be introduced and the Motion shall be prepared for the agenda for that Meeting.

7.11 Receipt of Motions

- a) Every Motion must be in writing before being submitted to the Clerk for inclusion in the agenda.
- b) Except as otherwise provided, all motions are put in the order in which they are received and moved.
- c) Every motion, when moved and seconded and presented at a Meeting, in accordance with this By-Law, shall be received by the Chair.
- d) A motion must be formally moved and seconded before discussion can take place and before the motion can be put or a motion recorded in the minutes.
- e) Motions need not be in writing; however, when a motion is presented to Council or a Committee in writing, it shall be read by the Mayor/Chair.

7.12 Order of Precedence of Motions

- a) Where a Motion is under consideration, no Motion shall be received except a Motion having precedence in the following order:

- (1) to adjourn;
- (2) to recess;
- (3) to vote on the question;
- (4) to close, limit or extend the Debate;
- (5) to defer
- (6) to refer;
- (7) to amend.

7.13 Debatable Motions

- a) main motion
- b) postpone indefinitely
- c) amend
- d) refer to a committee
- e) postpone to a certain time
- f) appeal from the decision of the Chair
- g) rescind
- h) amend something previously adopted
- i) reconsider Recess (as an incidental main motion)
- k) fix the time to which to adjourn (as an incidental main motion)

7.14 Non-Debatable Motions

- a) to close, limit or extend the debate;
- b) lay on the table; take from the table
- c) call for the orders of the day;
- d) raise a question of privilege
- e) recess (as a privilege motion)
- f) adjourn;
- g) fix the time to adjourn (as a privileged motion)
- h) Point of Order; Point of Privilege;
- i) to withdraw a motion;
- j) to suspend the rules;
- k) object to consideration of the motion
- l) division of the assembly
- m) division of the question
- n) incidental motions relating to voting, when the subject is pending
- o) dispense with the reading of the minutes

ARTICLE 8.0

DEBATE

8.1 Rules of Debate

- a) Debate may not begin until the Chair has stated the Motion.
- b) Debate must be relevant to the Motion under consideration.

- c) Debate must be courteous and respectful.
- d) When the Chair calls for the vote on a question, each Member shall occupy his or her seat and shall remain in his or her place until the result of the vote has been declared by the Chair, and during such time no Member shall walk across the room or speak to any other Member or make any noise or disturbance.
- e) Any Member may require the question or motion under discussion to be read at any time during the debate but not so as to interrupt a member while speaking.
- f) Members who have declared conflicts of interest may not participate in the debate.
- g) The member who made the motion shall have the first right to speak to the motion; however, cannot speak against the motion.
- h) Speakers must address all remarks to the Chair; cross talk between members is not permitted.
- i) A Member who wishes to debate must raise his or her hand and wait for permission from the Chair to speak. The Chair shall keep a list of speakers, calling upon them in order of their recognition.
- j) A Member may not speak on any subject other than the subject in debate.
- k) The Chair may not participate in the debate on any motion until all other Members have had at least one opportunity to speak.
- l) The Chair may make brief remarks on non-debatable motions.
- m) A Member may interrupt a speaker on a Point of Order if he or she believes the speaking is violating any of the Rules of Procedure.
- n) A Member may interrupt a speaker on a Point of Privilege if he or she believes the speaker has impugned a Member or the assembly.

8.2 Reopening an Item for further Debate

At the request of any Member, any item on the agenda of a Meeting may be reopened with a majority vote of all Members present for further debate, including re-vote on the related main Motion or any amendments that had been made at that same meeting.

ARTICLE 9.0

VOTING

9.1 Rules for Voting

- a) No vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect. This includes telephone, remotely via electronic format (i.e. Skype/FaceTime), verbal and email polls, except as provided by legislation.
- b) The Chair/Mayor shall always call for the positive and negative vote before declaring the results.
- c) On an unrecorded vote, the manner of determining the decision on a motion shall be by show of hands or other such method as approved by Council.
- d) Any Member who is present at the meeting and does not vote will be counted as having voted in the negative unless he or she is prohibited from voting having declared a conflict of interest.
- e) Members shall not speak on any subject other than the subject under debate or make another Motion until after the result has been declared.
- f) Members shall not interrupt a Member who has the floor except to raise a Point of Order.
- g) Any question on which there is a tie vote shall be deemed to be lost, except where otherwise provided by any statute.
- h) Immediately preceding the taking of the vote, the Chair/Mayor announces the result of the vote in the precise form in which it will be recorded in the minutes.
- i) Members shall not reflect upon, review, discuss, recount, or criticize any decision of the Council or a Committee, except for the purpose of moving that a resolution be reconsidered.

9.2 Recorded Votes

- a) Any Member of any Committee may request a Recorded Vote on any matter before the Committee.
- b) All votes taken at Coordinated Committee, Committee of the Whole and Council meetings shall be conducted by Recorded Vote.
- c) All Members present at the Meeting must vote, in alphabetical order, except that of the Chair whose name is called last.

- d) Members having declared a conflict of interest shall be excluded from the vote and noted as such.
- b) The names of those who voted for and others who voted against shall be noted in the minutes.
- c) The Clerk shall announce the results.
- d) All other rules of voting as listed in this By-law apply.

ARTICLE 10.0

REVISITING PRIOR DECISIONS

10.1 Revote

Any member may make a Motion to call for a Revote on a question that has been decided at the same Meeting. The Motion to Revote is non-debatable.

10.2 Reconsider, Rescind or Amend Prior Decision of Council:

a) Reconsideration

- (1) The purpose of a motion for reconsideration is to allow for fresh debate of a motion previously adopted by Council, where new information about a decided matter has been introduced.
- (2) A motion for reconsideration applies only to a matter previously decided by the current Council. A new Council may review any matter decided by a previous Council, provided contractual agreements or obligations have not been completed.
- (3) A motion for reconsideration shall not be in order if Council is made aware that the motion or by-law has been implemented resulting in legally binding commitments as of the date the motion to reconsider is moved.
- (4) A motion for reconsideration may only be introduced by placing a Notice of Motion at a Council Meeting.
- (5) A motion to reconsider a matter may be brought forward only once in the twelve month period from the date the matter was first decided, unless new information is brought forward that might have reasonably affected the debate or the decision, or a mistake in procedure can be shown to have occurred. A majority vote is required.
- (6) Any matter decided upon by the Council, may be reconsidered at the same meeting by a majority vote of the Council, without Notice.

- (7) A motion to reconsider any matter already disposed of by the current Council at a previous meeting shall require a majority vote at a future meeting.
- (8) A motion for reconsideration may be introduced only by the Member that voted with the prevailing side. A Member absent is not entitled to move or second a motion for reconsideration. A Secunder is required.
- (9) Debate on a motion to reconsider may only go into the reasons for reconsidering, and shall be limited and confined to discussion that new information has come forward, errors in documentation were presented, incorrect statements were made during the original debate, or other brief and concise statements outlining the reasons for reconsideration. Debate on the original motion or by-law proposed for reconsideration shall be prohibited until the motion to reconsider has been disposed of.
- (10) If a motion for reconsideration has been adopted, it temporarily nullifies the previous decision and places the meeting back at the point prior to taking the vote on the original motion.
- (11) If a motion for reconsideration is carried, it shall be in order to reconsider the original resolution or by-law until the next Regular Meeting of Council, or a Special Meeting of Council if so directed by Council by a majority vote of Members present.
- (12) A motion to reconsider shall not be reconsidered.
- (13) Once the original resolution or by-law is reopened, it is reopened in its entirety unless the motion to reconsider specifies otherwise. The original resolution or by-law being reconsidered shall be subject to the rules of debate and amendment outline herein.
- (14) Until the motion for reconsideration has been dealt with by Council all actions are suspended relating to the original motion previously adopted by Council.
- (15) No Motion or report shall be reconsidered more than once at any meeting.

c) Rescind or Amendment

- (1) The purpose of a motion to rescind is to reverse or cancel a decision previously adopted by Council, provided no action has been taken on the original decision.
- (2) The purpose of a motion to amend is to change the wording or substance of a motion or decision previously adopted by Council.
- (3) A motion to rescind or amend may only be introduced by placing a Notice of Motion at a Council Meeting.

- (4) A motion to rescind or amend a matter may be brought forward only once in the twelve month period from the date the matter was first decided, unless new information is brought forward that might have reasonably affected the debate or the decision, or a mistake in procedure can be shown to have occurred.
- (5) During presentation of a motion at a subsequent Council Meeting, if previous notice was not given, the motion to rescind or Amend is carried by two-thirds (2/3) vote of Council. If previous notice was given, a majority vote is required to carry the motion to rescind or amend.
- (6) Unless and until the motion to rescind or amend has passed by Council, the original decision continues in full force and effect.
- (7) If the motion to rescind is carried, the vote cannot be reconsidered.
- (8) If the motion to rescind is defeated, the vote can be reconsidered.
- (9) A motion to rescind or amend applies only to a matter previously decided by the current Council. A new Council may review any matter decided by a previous Council, provided contractual agreements or obligations have not been completed.

ARTICLE 11.0

CONDUCT

11.1 Rules of Conduct of Members of Council, Committees, Staff, and Public

- a) Members of Council, Committees and Staff in attendance at a meeting of Council or a Committee shall adhere to the Town's Code of Conduct for Council and/or Committee Members and/or Staff.
- b) All those in in attendance at a meeting of Council or a Committee, including Members of Council, Committees, staff and public shall, at all Meetings, observe the Rules of Conduct set out in this Section. No person shall:
 - (1) Speak disrespectfully of the Reigning Sovereign, or of any member of the Royal Family, or of the Governor General or the Lieutenant-Governor of any province, any Member of the Senate, the House of Commons of Canada or the Legislative Assembly of the Province of Ontario;
 - (2) Speak disrespectfully nor shall they use offensive words in or against Members of the Council, or Committee, or any member thereof including Municipal staff;
 - (3) Use belittling, derogatory, indecent, offensive, or insulting words, profanity or unparliamentarily language in or against the Council or against any Member, staff, guest or individual;
 - (4) Speak on any subject other than the subject in debate;

- (5) Criticize any decision of the Council except for the purpose of moving that the question be reconsidered;
 - (6) Disturb another Member of Council or Committee, staff, or individual, by any disorderly conduct disconcerting to the speaker or the Council/Committee;
 - (7) In the case of a Member, leave their seat or make any noise or disturbance when the Chair/Mayor is reading a motion and shall remain in their seat while a vote is being taken and until the result of the vote is declared;
 - (8) In the case of a Member, leave the meeting without first obtaining permission from the Mayor/Chair;
 - (9) Operate any handheld communication device, such as cell phones, Blackberrys, audible pagers or similar communication device, during a Closed Meeting and not use handheld devices for voice communications during a Meeting of Council or Committee;
 - (10) Release, make public or in any way divulge any matters or information dealt with in a closed session or any aspect of closed session deliberations, unless expressly authorized or required by law;; or
 - (11) In all matters and under all circumstances, be guided by and have regard to the *Municipal Conflict of Interest Act*;
 - (12) Disobey the Rules of Procedure, or a decision of the Chair, or of the Committee on questions of order and practice or upon the interpretation of the Rules of Procedure;
 - (13) Be allowed to address Council or a Committee or speak in debate without permission of the Mayor/Chair, who may consult with Council or the Committee regarding permission;
 - (14) Walk across or out of the Council Chambers or Committee Room, or make any noise or disturbance when the Presiding Officer is putting a question, and shall occupy his or her seat while a vote is being taken and until the result thereof is declared.
- b) Unless otherwise authorized by the Mayor/Chair, everyone in attendance at a Council or Committee meeting shall address Council or the Committee through the Mayor/Chair and only when recognized to do so.
- c) During the conduct of any meeting of the Council, wearing of any hats, other than for religious purposes; which are strictly forbidden by any member of the Council, Administration of members of the public.
- d) All Members of Council and Staff shall wear proper business attire during regularly scheduled Council and Committee meetings.
- e) No person, with the exception of Municipal Staff and Members of Council, may come within the dais during a Council meeting, without permission to do so from the Chair or Council.
- f) Election (Federal, Provincial, and Municipal) campaign materials such as signs, buttons, brochures, etc. are not allowed in any location where Council or Committee meetings are held.

11.2 Failure to Obey the Rules of Conduct

- a) Where a Member has been called to order and warned by the Chair for failing to observe the Rules of Conduct as outlined within this By-law and the Member is persistent in such conduct the Chair may:
 - i. If the Member has the floor, at the discretion of the Chair, not be allowed to continue speaking on this matter;
 - ii. Put the question to a vote, without Amendment, adjournment or Debate being allowed;
 - iii. If a Member continues to be out of order, at the discretion of the Chair, by vote of the Members, ~~be~~ order the Member to leave his or her seat for the duration of the Meeting.
- b) If a Member apologizes, he or she maybe permitted to retake his or her seat.
- c) Should a Member fail to leave his or her seat after being ordered to do so, the Chair may, at his or her discretion, adjourn the Meeting without Debate or Vote.
- d) Members that contravene provisions of the Code of Conduct during a meeting, upon receipt of a formal complaint, may be subject to an investigation by the Town appointed Integrity Commissioner.

11.3 Point of Order. Point of Privilege

- a) The Chair shall preserve order and decide Points of Order and Points of Privilege.
- b) Upon consent of the Chair, a Member or the CAO may interrupt the person who has the floor to raise a point of order when such member or the CAO feels that there has been:
 - (1) A deviation or departure from the Rules of Procedure; or
 - (2) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed motion; or
 - (3) A deviation from acceptable conduct by anyone in attendance at a meeting; or
 - (4) Where he or she considers that the members rights on integrity or the rights or integrity of the Committee or Council as a whole have been impugned.
- c) Upon being recognized by the Chair, the Member or CAO shall state the Point of Order or Point of Privilege;
- d) The Point of Order or Point of Privilege shall be immediately decided by the Chair, without Debate or discussion; the Chair may ask clarification questions of the person raising the point;

- e) After a Point of Order or Point of Privilege has been ruled upon, no Member shall address the Chair, except for the purpose of appealing the Chair's decision to the Committee;
- f) If no Member appeals, the decision of the Chair is final;
- g) Any Member may appeal to Council, or a Committee on a decision of the Mayor or Chair on a Point of Order.
- h) The Council or Committee, if appealed to, shall decide the Point of Order without debate and its decision shall be final. A simple majority of Council or Committee is required for such decisions. The motion so interrupted shall be resumed at the point where it was suspended.

ARTICLE 12.0

BY-LAW REPEALED

12.01 Previous By-Laws Repealed

1. THAT By-Law 2015-99 and all amendments to the same are hereby repealed in their entirety, and where the provisions of any other by-law, resolution or action of Council area inconsistent with the provisions of this by-law, the provision of this by-law shall prevail.

ARTICLE 13.0

EFFECTIVE DATE

13.01 Effective Date

THAT this By-Law shall come into force and take effect upon passing.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 24th DAY OF MAY, 2016.

Brian Smith, Mayor

Holly Bryce, Town Clerk